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The Senate of Maryland

ANNAPOLIS, MARYLAND 21401-1991

April 16, 2012

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Since the conclusion of what may be one of the most difficult legislative sessions in memory, there has been tremendous misinformation circulated. There are a lot of hard feelings left with all of us at the end of this Session. We closed with a very unfortunate budget impasse between the House and Senate and while I have not once blamed anyone, I find myself compelled to respond to the volume of false allegations.

It has been alleged that the impasse was somehow connected to gaming. This is patently untrue and I encourage each of you to contact the leadership of the Budget and Taxation Committee as well as the Senate conferees who will confirm the falsehood of these statements. It is not a secret that I am in strong support of allowing the voters to have the opportunity to decide on expanded gaming to help resolve the State's on-going deficit, however I in no way sought to involve any gaming issue into the fiscal year 2013 budget debate. I never asked one member of the Senate not to seek a middle ground on revenues in connection to my support for the referendum. Statements to the contrary are irresponsible.

As each of you heard on the Senate floor, there remained legitimate policy differences on the proposed increases in revenues. The Senate position was based in principle and not on political talking points that some percentage of people won't pay taxes. While the impasse is not ideal, it is a teachable moment for our citizens to understand that we cannot cut just our way out of the structural deficit. The "doomsday cuts" make very clear how important it is that we fully resolve the structural deficit and balance the budget in long term progressive manner that revisits the affordability of prior tax cuts.

The press stunts reached absurd levels throughout the day with the House conferees apparently being instructed to sit in a room "until a budget was agreed to". Having no idea of this, the Senate returned to Session while House members "tweeted" pictures of themselves sitting there. Obviously the stunt was concocted to create the impression that somehow the Senate refused to meet which was both immature and beneath the dignity of the General Assembly.

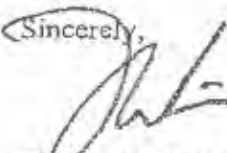
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As the day continued, the House refused any compromise with the Speaker even going so far as to say that the Senate conferees compromise of 95% of the House revenue plan was not enough. Insisting on 100% of your own position cannot be called a compromise. This unprecedented unwillingness to compromise on the part of the House of Delegates led to the conference reports not being agreed upon until almost 8:00pm, when the Senate reluctantly agreed to the non-compromise to prevent a doomsday result. This was almost an hour past the 5 hour time frame which the Department of Legislative Services stated was necessary to prepare the reports for passage by midnight.

It is worth noting that more than half of the "doomsday cuts" were contingent on the Budget Reconciliation and Financing Act (BRFA) which passed the Senate well over an hour before midnight. All of the cuts to education were contingent on the BRFA and although the House had over an hour to enact the conference report, they inexplicably chose to not even bring the BRFA report up. The Speaker then chose to try to extend Session based on a never before identified or used provision of the Constitution, a stunt which I felt was inappropriate to spring on the Senate of Maryland for the first time in the history of the State with less than a half hour to the 90 day session.

I said as much to him and he knew that by the House solely taking the action, it would be totally ineffective. It was clear to me that when we received the revenue report on the desk at about 11:30 pm, that the clock had run out on enacting revenues during the 90 day session. I remain certain the Maryland General Assembly would have been sued by groups seeking to invalidate any legislation passed after the midnight deadline under the "newly discovered" Constitutional provision.

If we are to return to seek consensus to avoid doomsday cuts, we should do so through the legally understood and accepted process of a Special Session. Success will depend on ending the Capitol Hill style of finger pointing, the press stunts and getting down to good public policy over "good talking points". We should enact measures which raise enough revenues to end the structural deficit and place our State back into the firm fiscal stature we are known for in Maryland. I am happy to return to Special Session to seek such a compromise.

Sincerely,


Thomas V. Mike Miller, Jr.